

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

v.

JEFFREY S. OGBURN,
Defendant/Judgment Debtor,
and
LARSON AUTOMOTIVE GROUP,
Garnishee.

NO. 3:16-MC-5021-BHS
(3:08-CR-5407-2)

**Order Reopening
Garnishment Action and
Directing Payment of
Garnished Funds to
Restitution**

Plaintiff United States of America (United States) moved, pursuant to Federal Rule of Civil Procedure 60(b)(1), to reopen this garnishment and for an order directing payment of garnished funds to the Court, to be applied to Defendant/Judgment Debtor Jeffrey S. Ogburn's (Mr. Ogburn) restitution debt. The United States seeks to cure its mistake in moving to terminate this garnishment action while it was still in possession of a \$1,266.90 check from Garnishee Larson Automotive Group (Larson), which constituted earnings

**[PROPOSED] ORDER REOPENING GARNISHMENT ACTION AND
DIRECTING PAYMENT OF GARNISHED FUNDS TO RESTITUTION - 1**
(USA v. Jeffrey S. Ogburn & Larson Automotive Group,
USDC#: 3:16-MC-5021-BHS/3:08-CR-5407-2)

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Larson had withheld from Mr. Ogburn's paycheck pursuant to the garnishment. The Court has considered the United States' motion, any responses and replies thereto, and the files and records in this action. For the reasons stated in the United States' motion, the Court finds that the motion should be granted. Accordingly, the Court orders as follows:

1. This action is hereby reopened (but the Writ of Garnishment is not reinstated); and

2. The United States is directed to deliver the \$1,266.90 check to the Clerk of the U.S. District Court, Western District of Washington, to be applied to Mr. Ogburn's restitution debt in *United States v. Jeffrey S. Ogburn*, Case No. 3:08-CR-5407-2 (W.D. Wash.).

It is so ordered.

DATED this 6 day of December, 2016.


Hon. Benjamin H. Settle
United States District Court

Presented by:

ANNETTE L. HAYES
United States Attorney

s/ Kyle A. Forsyth
KYLE A. FORSYTH, WSBA # 34609
Assistant United States Attorney